



***City of Alexandria, Virginia***  
***Department of Planning & Zoning***

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**SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2017-0015

Approved by Planning and Zoning: April 10, 2017

Permission is hereby granted to: Dogwood Petroleum Realty LLC

to use the premises located at: 4670 Duke Street (Parcel Address: 4620 Duke Street)

for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

4/10/2017

Date

KARL MORITZ/ROD  
Karl Moritz, Director  
Department of Planning and Zoning



DATE: April 10, 2017

TO: Alex Dambach, Division Chief  
Department of Planning and Zoning

FROM: Nathan Randall, Urban Planner III  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0015  
Administrative Review for Change of Ownership  
Site Use: Automobile Service Station  
Applicant: Dogwood Petroleum Realty LLC  
Location: 4670 Duke Street (Parcel Address: 4620 Duke Street)  
Zone: CG / Commercial General

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### **Request**

Special Use Permit #2017-0015 is an administrative request to change ownership of an existing automobile service station at 4670 Duke Street from Star Enterprise to Dogwood Petroleum Realty LLC. No other changes are proposed in connection with the request and the applicant plans to continue to operate the business as a Shell gas station with six gasoline pumps in total. Automobile repair services are also offered at this business, consistent with Section 2-117 of the Zoning Ordinance, in a total of four repair bays.

### **Background**

A gas station has operated at this site since prior to the annexation of the land from Fairfax County to the City of Alexandria in 1952. No Special Use Permit approval was required for the business until June 1980, when City Council approved SUP#1324 to allow for the addition of one repair bay. In 1991 and 1992, City Council approved SUP#1324A and SUP#1324B, respectively, to allow for the intensification and renovation of the gas station building. Both SUPs expired within one year, as stipulated in their approvals, without the renovations having been started. In October 1993, City Council approved SUP#1324C to allow the originally-conceived renovations, which were subsequently completed. SUP#1324C is the most recent SUP approval at the site.

The gas station suffered damage from a fire on January 9, 2017. The business has been closed since that time while renovations have been completed.

### **Parking**

Section 8-200(A)(12) of the Zoning Ordinance ordinarily requires one off-street parking space for each gasoline pump. It appears that, at the time of the 1993 SUP, the use was deemed grandfathered as to parking requirements for the two gasoline pumps that existed at the site since prior to 1963. Only four off-street parking spaces were required for the four new gasoline pumps added at that time. The applicant meets this parking requirement with 11 spaces at the western and southeastern sides of the site, 12 spaces at the gasoline pumps, and four spaces in repair bays for a total of 27 off-street spaces.

**Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the 4600 Condominium Association and the Wakefield-Tarleton Civic Association were sent notification of the application. Staff has not received any comments regarding this request.

**Staff Action**

Staff supports the change of ownership request to continue operation of the automobile service station. Several conditions of approval have been amended, deleted or added in this report to better clarify certain previously-approved conditions and to include modern conditions that, while not standard in 1993, are common requirements today. New conditions that have been added to this approval pertain to routine matters such as regular litter pick-up, odor control, and a one-year review.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: April 10, 2017

Action: Approved



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Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions  
2) Statement of Consent

**CONDITIONS OF SPECIAL USE PERMIT #2017-0015**

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#1324-B)
2. Exterior lighting and any proposed lighting shall be checked and adjusted if necessary, by the applicant, to ensure that it illuminated the leased premises only. (P&Z) (SUP#1324-B)
3. The applicant (lessee) shall keep the premises in clean, safe, and healthful conditions. (P&Z) (SUP#1324-B)
4. **CONDITION AMENDED BY STAFF:** No body or fender work or any repairs and services ~~traditionally associated with~~ defined in the Zoning Ordinance as constituting a "general automobile repair business" ~~garage~~ shall be conducted at the site. (P&Z) ~~(SUP#1324-B)~~
5. **CONDITION AMENDED BY STAFF:** The applicant shall not keep any junked, stripped, visibly damaged, abandoned, or unlicensed vehicles on the site at any time. (P&Z) ~~(SUP#1324-B)~~
6. The applicant shall repair and maintain the fence to the rear and side of the premises. (P&Z) (SUP#1324-B)
7. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP#1324-B)
8. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP#1324-B)
9. **CONDITION AMENDED BY STAFF:** No repair work shall be done outside. No maintenance, other than normal addition of vehicular liquids, shall be conducted in the areas outside the maintenance bays. (P&Z) ~~(SUP#1324-B)~~
10. The hours of operation shall be limited to 24 hours a day, seven days a week. (P&Z) (SUP#1324-B)
11. The applicant shall provide protection for existing trees and shrubs during

- construction (City Arborist) (SUP#1324-B)
12. The applicant shall paint the roof of the canopy with a rust resistant paint which is the same color as the existing walls of the service station building. (P&Z) (SUP#1324-B)
  13. The applicant shall "wrap" the service station building with vertical siding of the same color as the existing walls. (P&Z) (SUP#1324-B)
  14. The lighting and signs shall be designed and operated to preclude light shining into the residential units of the 4600 Duke Street building. (P&Z) (SUP#1324-B)
  15. The applicant shall provide 11 marked parking spaces in the service areas as shown on the plan submitted. (P&Z) (SUP#1324-B)
  16. **CONDITION AMENDED BY STAFF:** The applicant shall not permit more than 11 vehicles associated with the automobile repair portion of the use to park at any one time outside the service bays. (P&Z) (SUP#1324-B)
  17. **CONDITION DELETED BY STAFF (See Revised Condition #9):** ~~No maintenance, other than normal addition of vehicular liquids, shall be conducted in the areas outside the maintenance bays. (P&Z) (SUP#1324-B)~~
  18. The applicant shall maintain and continue to improve the existing grass, tree, and shrubbery areas. (P&Z) (SUP#1324-B)
  19. **CONDITION AMENDED BY STAFF:** ~~The applicant shall relocate the existing telephone booth and air dispenser from the current site to another location on site away from fire lanes; and The applicant shall ensure that the fire lanes are kept clear of vehicles. (P&Z) (SUP#1324-B)~~
  20. **CONDITION AMENDED BY STAFF:** The existing light (illumination) on the automobile service station property of STAR Enterprises at the Duke Street entrance to the condominium will be retained, improved, and maintained by STAR Enterprises the applicant at its expense. (P&Z) (SUP#1324-B)
  21. **CONDITION DELETED BY STAFF:** ~~The applicant shall install a tree or bush on the 4600 Duke Condominium property of a type and location designed and approved by the 4600 Duke Condominium Board of Directors. (P&Z) (SUP#1324-B)~~
  22. **CONDITION DELETED BY STAFF:** ~~The applicant shall resubmit the plot plan showing the Resource Protection Area components of the site. (P&Z) (SUP#1324-C)~~

23. **CONDITION ADDED BY STAFF:** Loading or unloading of vehicles shall take place on-site and during the hours of operation. (P&Z)
24. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
25. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z)
26. **CONDITION ADDED BY STAFF:** Litter on the site and on the public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day, or more often if necessary, to prevent an unsightly and unsanitary accumulation, on each day that the business is open to the public. (P&Z)
27. **CONDITION ADDED BY STAFF:** Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape invasion by animals, or leaking. No trash or debris shall be allowed to accumulate on site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z)
28. **CONDITION ADDED BY STAFF:** All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (P&Z)
29. **CONDITION ADDED BY STAFF:** The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (P&Z)
30. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (P&Z)
31. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Local Motionat [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for information on establishing an employee

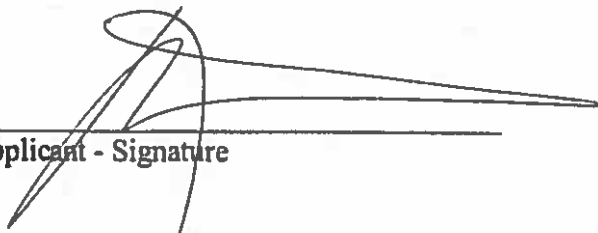
- transportation benefits program. (P&Z)
32. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z)
33. **CONDITION ADDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained online at [https://alexandriava.gov/uploadedFiles/tes/info/Automotive\\_BMP\\_manual.pdf](https://alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf) or by contacting T&ES at 703-746-4065. (P&Z)
34. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)



SUP2017-0015  
4670 Duke Street

### STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0015. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station at 4670 Duke Street.

  
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Applicant - Signature

4/28/2017  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant - Printed

\_\_\_\_\_  
Date

